

AN ORDINANCE

**97231**

**ACCEPTING THE LOW, QUALIFIED BID IN THE AMOUNT OF \$407,837.25 FROM RYAN-O EXCAVATING INCORPORATED IN CONNECTION WITH THE ASPHALT OVERLAY - 2003 STREET MAINTENANCE PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$40,783.73 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$750.00 FOR ADVERTISING EXPENSES, \$500.00 FOR PRINTING AND REPRODUCTION EXPENSES, AND \$9,500.00 FOR INSTALLATION OF VIDEO IMAGING VEHICLE DETECTION SYSTEM (VIVDS) PROCESSOR SYSTEM; APPROVING FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$21,358.00; FOR AN OVERALL TOTAL OF \$480,728.98; APPROPRIATING FUNDS; PROVIDING FOR PAYMENT; AND PROVIDING FOR THE IMMEDIATE EFFECTIVE DATE UPON APPROVAL OF EIGHT (8) AFFIRMATIVE VOTES.**

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**WHEREAS**, the Asphalt Overlay-2003 Street Maintenance Project involves the application of an overlay of asphalt to the various streets listed in Attachment I attached hereto and incorporated herein for all purposes as Attachment I, as a preventative maintenance treatment; and

**WHEREAS**, the Project will also include the installation of a Video Imaging Vehicle Detection System (VIVDS); and

**WHEREAS**, the construction documents were submitted and six (6) bidders responded; and

**WHEREAS**, Austin Bridge failed to comply with the Standard Instructions to Bidders and their bid was therefore non-responsive; and

**WHEREAS**, the low, qualified bidder was Ryan-O Excavating Incorporated for the amount of \$407,837.25; and

**WHEREAS,** Field Alteration Number 1 to the Asphalt Overlay-2003 Street Maintenance Project in the amount of \$21,358.00 provides for the increase in quantities expended due to scope modifications; and

**WHEREAS,** approval of this Ordinance will be a continuation of City Council policy to provide street maintenance budgeted for FY 2002-2003; **NOW THEREFORE,**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The low, qualified bid of Ryan-O Excavating Incorporated for the amount of \$407,837.25 to perform the Asphalt Overlay-2003 Street Maintenance Project is hereby accepted. All other bids will be considered rejected upon the execution of a contract by the successful bidder and the deposit of all required bonds and insurance certificates or the expiration of sixty days from the effective date hereof, whichever occurs first. Attachment I attached hereto and incorporated herein for all purposes identifies specific streets, total square yards, center lane mileage, and costs. A copy of the bid proposal is attached hereto and incorporated herein for all purposes as Attachment II. The City Manager or her designee, is hereby authorized to execute a standard form contract in substantially the same form as Attachment III attached hereto and incorporated herein for all purposes.

**SECTION 2.** Field Alteration No. 1 to the construction contract with Ryan-O Excavating Incorporated for the amount of \$21,358.00 is hereby approved. A copy of Field Alteration No. 1 is attached hereto and incorporated herein for all purposes as Attachment IV.

**SECTION 3.** The budget in Fund 29-014000, Streets/Drainage Maintenance and Improvement Fund, shall be revised by reducing index code 913517, entitled Current Year Appropriations, in the amount of \$480,728.98.

**SECTION 4.** The budget in Fund 29-014000, Streets/Drainage Maintenance and Improvement Fund, shall be revised by increasing index code 932004, entitled Transfer to 40-002031, in the amount of \$480,728.98. The amount of \$480,728.98 is authorized to be transferred from Fund 29-014000 to Fund 40-002031.

**SECTION 5.** The budget in Fund 40-002031, Street Improvements, shall be revised by increasing Index Code 130906, entitled Transfer from 29-014000 (40-002031), in the amount of \$480,728.98.

**SECTION 6.** The amount of \$407,837.25 is appropriated in Fund 40-002031, Street Improvements, in index code 730770, entitled Construction Contract, and is authorized to be encumbered and made payable to Ryan-O Excavating, in connection with the Asphalt Overlay 2003 Street Maintenance Project.

**SECTION 7.** The amount of \$62,141.73 is appropriated in Fund 40-002031, Street Improvements, in index code 674622, entitled Construction Contingency, and is authorized to be encumbered and made payable for Contingency Expenses, in connection with the Asphalt Overlay 2003 Street Maintenance Project.

**SECTION 8.** The budget and encumbrance in Fund 40-002031, Street Improvements, shall be revised in the amount of \$21,358.00 by transferring said amount from the Construction Contingency, in Index Code 674622 to the Construction Contract, in Index Code 730770, and is authorized to be made payable to Ryan O Excavating, for Field Alteration No. 1, in connection with the Asphalt Overlay 2003 Street Maintenance Project.

**SECTION 9.** The amount of \$750.00 is appropriated in Fund 40-002031, Street Improvements, in index code 730762, entitled advertising expense, and is authorized to be encumbered and made payable for advertising expenses, in connection with the Asphalt Overlay 2003 Street Maintenance Project.

**SECTION 10.** The amount of \$500.00 is appropriated in Fund 40-002031, Street Improvements, in index code 730754, entitled printing and reproduction expenses, and is authorized to be encumbered and made payable for printing and reproduction expenses, in connection with the Asphalt Overlay 2003 Street Maintenance Project.

**SECTION 11.** The amount of \$7,091.20 is appropriated in Fund 40-002031, Street Improvements, in index code 730747, entitled Video Imaging Vehicle Detection System, and is authorized to be encumbered and made payable when the purchase order is issued.

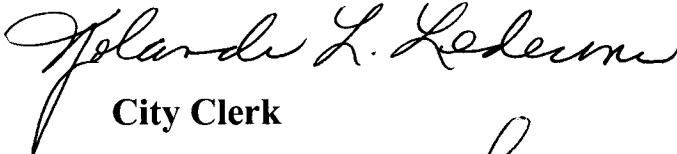
**SECTION 12.** The amount of \$2,408.80 is appropriated in Fund 40-002031, Street Improvements, in index code 725598, entitled Video System Installation, and is authorized to be encumbered and made payable to City forces for Video System Installation, in connection with the Asphalt Overlay 2003 Street Maintenance Project.


**SECTION 13.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific index codes and fund numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 14.** This ordinance shall be immediately effective if passed by at least eight votes. Otherwise, it shall be effective on the 2<sup>nd</sup> day of March, 2003.

**PASSED AND APPROVED** this 20<sup>th</sup> day of February, 2003.

  
M A Y O R  
EDWARD D. GARZA

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
for City Attorney